UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 February 2009 and 16 March 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,4-11,13-17 and 19-23</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,4-11,13-17 and 19-23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is in response to Amendment filed on 2/19/2009 and entered with an RCE

filed on 3/16/2009.

2.   Claims 1, 9 and 16 have been amended and claims 3, 12 and 18 have been cancelled.

Currently, claims 1, 2, 4-11, 13-17 and 19-23 are pending.

Continued Examination Under 37 CFR 1.114

3.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 2/19/2009 has been entered.

Response to Arguments

4.   Applicant's arguments with respect to claims 1, 2, 4-11, 13-17 and 19-23 have been

considered but are moot in view of the new ground(s) of rejection.

Specification

5.   The disclosure is objected to because of the following informalities: the heading

"**T chnical Field**" (page 1, line 3) should be "**Technical Field**". Appropriate correction

is required.

Claim Objections

6.   Claims 4, 6, 19 and 21 are objected as depending on cancelled claims 3 and 18. For the

purpose of examination, claims 4 and 6 are treated as depending on claim 1 and claims 19 and 21

are treated as depending on claim 16. However, appropriate corrections are required.

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

8.   Claims 1, 2, 4-11, 13-17 and 19-23 (effective filing date 2/5/2004) are rejected under 35

U.S.C. 102(e) as being anticipated by Egli et al. (US Publication No 2003/0110234, effective

filing date 11/8/2001).

        As to claim 1, Egli et al. teaches:

        "A method of authentication" (see Egli et al., Abstract for a method to identify the client

device requesting particular media objects), the method comprising:

        "connecting a wireless network to an HTTP network using an HTTP proxy" (see Egli et

al., Fig. 3, [0029]-0031] and [0048] wherein the media delivery system acts as an HTTP proxy

and connects to Ethernet network (i.e., HTTP network) and wireless network);

        "converting wireless network protocols from the wireless network into a protocol

supported by the HTTP network" (see Egli et al., [0048] wherein communication between

Ethernet network and wireless network requires the conversion between protocols supported by

different network);

        "comparing information, including a header type, a header order, and a header content, of

a request by client logic with a known pattern of information for the client logic to determine

whether a device making the request is authorized to receive at least one of content and software,

the comparing accomplished by the HTTP proxy" (see Egli et al., [0059], [0066] and [0075]

wherein the comparing of header information of a client request to known device characteristics

and capacities (i.e., know pattern of information) is to determine to determine whether a device is

allowed to receive the media object in specific format and performed by the media delivery

system (HTTP proxy)); and

"when the information of the request matches the known pattern, causing the at least one

of content and software to be communicated to the client logic in response to the request" (see

Egli et al., [0059] providing requested data in appropriate format based on the comparison of

information to identify the client device).

As to claim 2, this claim is rejected based on reasons given above to reject claim 1 and

similarly rejected including the following:

Egli et al. teaches:

"the known pattern selected according to an identification of the client logic provided

with the request" (see Egli et al., [0075] for selecting the client capability configuration (know

pattern) according to the HTTP User-Agent header (identification of the client logic); also see

[0092]-[0096]).

As to claim 4, this claim is rejected based on reasons given above to reject claim 1 and

similarly rejected including the following:

Egli et al. teaches:

"the request comprising an HTTP GET request" (see Egli et al., [0068] wherein an HTTP request for information from a server is an HTTP GET request).

As to claim 5, this claim is rejected based on reasons given above to reject claim 1 and similarly rejected including the following:

Egli et al. teaches:

"the known pattern of information comprising a value determined by combining information of the request" (see Egli et al., [0075] for determining the configuration information by examining a set of HTTP request headers).

As to claim 6, this claim is rejected based on reasons given above to reject claim 1 and similarly rejected including the following:

Egli et al. teaches:

"the HTTP proxy causing an HTTP server to communicate the at least one of content and software" (see Egli et al., [0078] and [0031] wherein the media delivery system acts as an HTTP proxy to serve media objects from an Internet server (HTTP server) to the client devices in appropriate format).

As to claim 7, this claim is rejected based on reasons given above to reject claim 1 and similarly rejected including the following:

Egli et al. teaches:

"applying provision information to interpret at least a portion of the information of the request" (see Egli et al., [0092]-[0094] wherein information stored in the data store is interpreted as provision information as recited); and

"comparing information interpreted from the request to information identifying the client logic" (see Egli et al., [0092] and [0096] wherein value of the HTTP User-Agent header represents information identifying the client logic as recited and querying is a process of comparing information to identify the requested information).

As to claim 8, this claim is rejected based on reasons given above to reject claim 7 and similarly rejected including the following:

Egli et al. teaches:

"the information identifying the client logic comprised by the request" (see Egli et al., [0096] wherein the HTTP request includes the HTTP User-Agent header as an indicator of the requesting client).

As to claim 9, Egli et al. teaches:

"An apparatus for authentication" (see Egli et al., Abstract for a system to identify the client device requesting particular media objects), the apparatus comprising:

"a processor" (see Egli et al., [0029] and [0043]); and

"logic that, when applied to the processor, results in connecting a wireless network to an HTTP network" (see Egli et al., Fig. 3, [0029]-0031] and [0048] wherein the media delivery system acts as an HTTP proxy and connects to Ethernet network (i.e., HTTP network) and wireless network);

"converting wireless network protocols from the wireless network into a protocol supported by the HTTP network" (see Egli et al., [0048] wherein communication between Ethernet network and wireless network requires the conversion between protocols supported by different network);

"comparing information, including a header type, a header order, and a header content, of a request by client logic with a known pattern of information for the client logic to determine whether a device making the request is authorized to receive at least one of content and software" (see Egli et al., [0059], [0066] and [0075] wherein the comparing of header information of a client request to known device characteristics and capacities (i.e., know pattern of information) is to determine whether a device is allowed to receive the media object in specific format); and

"when the information of the request matches the known pattern, causing the at least one of content and software to be communicated to the client logic in response to the request" (see

Egli et al., [0059] providing requested data in appropriate format based on the comparison of

information to identify the client device).

As to claim 10, this claim is rejected based on reasons given above to reject claim 9 and

similarly rejected including the following:

Egli et al. teaches:

"logic that, when applied to the processor, results in selecting the known pattern

according to an identification of the client logic provided with the request" (see Egli et al.,

[0075] for selecting the client capability configuration (know pattern) according to the HTTP

User-Agent header (identification of the client logic); also see [0092]-[0096]).

As to claim 11, this claim is rejected based on reasons given above to reject claim 9 and

similarly rejected including the following:

Egli et al. teaches:

"further comprising HTTP proxy logic" (see Egli et al., [0031]).

As to claim 13, this claim is rejected based on reasons given above to reject claim 9 and

similarly rejected including the following:

Egli et al. teaches:

"logic that, when applied to the processor, results in combining information of the request

to determine a value to represent the pattern of information in the request" (see Egli et al., [0075]

for determining the configuration information by examining a set of HTTP request headers).

As to claim 14, this claim is rejected based on reasons given above to reject claim 11 and

similarly rejected including the following:

Egli et al. teaches:

"logic that, when applied to the processor, results in causing an HTTP server to provide

the at least one of content and software to the HTTP proxy; and in the HTTP proxy providing the

at least one of content and software to the client logic" (see Egli et al., [0078] and [0031]

wherein the media delivery system acts as an HTTP proxy to serve media objects from an

Internet server (HTTP server) to the client devices in appropriate format).

As to claim 15, this claim is rejected based on reasons given above to reject claim 9 and

similarly rejected including the following:

Egli et al. teaches:

"logic that, when applied to the processor, results in applying provision information to

interpret at least a portion of the information of the request" (see Egli et al., [0092]-[0094]

wherein information stored in the data store is interpreted as provision information as recited);
and

"comparing interpreted information of the request to information of the request
identifying the client logic" (see Egli et al., [0092] and [0096] wherein value of the HTTP User-
Agent header represents information identifying the client logic as recited and querying is a
process of comparing information to identify the requested information).

As to claim 16, Egli et al. teaches:

"A method of authentication" (see Egli et al., Abstract for a method to identify the client
device requesting particular media objects), the method comprising:

"connecting a wireless network to an HTTP network using an HTTP proxy" (see Egli et
al., Fig. 3, [0029]-0031] and [0048] wherein the media delivery system acts as an HTTP proxy
and connects to Ethernet network (i.e., HTTP network) and wireless network);

"converting wireless network protocols from the wireless network into a protocol
supported by the HTTP network" (see Egli et al., [0048] wherein communication between
Ethernet network and wireless network requires the conversion between protocols supported by
different network);

"comparing information, including a header type, a header order, and a header content, of
a request by client logic with a known pattern of information for the client logic to determine
whether a device making the request is authorized to receive at least one of content and software,

the comparing accomplished by the HTTP proxy" (see Egli et al., [0059], [0066] and [0075] wherein the comparing of header information of a client request to known device characteristics and capacities (i.e., know pattern of information) is to determine to determine whether a device is allowed to receive the media object in specific format and performed by the media delivery system (HTTP proxy)); and

"modifying the request information to either validate or invalidate the request according to whether the information of the request matches the known pattern" (see Egli et al., [0095] and [0092] for modifying the request based on the examination (e.g., comparing) of information between the request and the data store to validate the request for a proper output format for media content).

As to claim 17, this claim is rejected based on reasons given above to reject claim 16 and similarly rejected including the following:

Egli et al. teaches:

"the known pattern selected according to an identification of the client logic provided with the request" (see Egli et al., [0075] for selecting the client capability configuration (know pattern) according to the HTTP User-Agent header (identification of the client logic); also see [0092]-[0096]).

As to claim 19, this claim is rejected based on reasons given above to reject claim 16 and similarly rejected including the following:

Egli et al. teaches:

"the request comprising an HTTP request" (see Egli et al., [0068]).

As to claim 20, this claim is rejected based on reasons given above to reject claim 16 and similarly rejected including the following:

Egli et al. teaches:

"the known pattern of information comprising a value determined by combining information of the request" (see Egli et al., [0075] for determining the configuration information by examining a set of HTTP request headers).

As to claim 21, this claim is rejected based on reasons given above to reject claim 16 and similarly rejected including the following:

Egli et al. teaches:

"the HTTP proxy causing an HTTP server to communicate the at least one of content and software" (see Egli et al., [0078] and [0031] wherein the media delivery system acts as an HTTP proxy to serve media objects from an Internet server (HTTP server) to the client devices in appropriate format).

As to claim 22, this claim is rejected based on reasons given above to reject claim 16 and similarly rejected including the following:

Egli et al. teaches:

"applying provision information to interpret at least a portion of the information of the request" (see Egli et al., [0092]-[0094] wherein information stored in the data store is interpreted as provision information as recited); and

"comparing information interpreted from the request to information identifying the client logic" (see Egli et al., [0092] and [0096] wherein value of the HTTP User-Agent header represents information identifying the client logic as recited and querying is a process of comparing information to identify the requested information).

As to claim 23, this claim is rejected based on reasons given above to reject claim 22 and similarly rejected including the following:

Egli et al. teaches:

"the information identifying the client logic comprised by the request" (see Egli et al., [0096] wherein the HTTP request includes the HTTP User-Agent header as an indicator of the requesting client).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong-Thao Cao whose telephone number is (571)272-2735. The examiner can normally be reached on 8:30 AM - 5:00 PM (Mon - Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung T Vy/
Examiner, Art Unit 2163

Phuong-Thao Cao, Examiner
Art Unit 2164
May 19, 2009